

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-383-T - ORDER NO. 2008-37
JANUARY 23, 2008

IN RE: Petition of the Office of Regulatory Staff to)	ORDER REVOKING
Revoke Certificates of Public Convenience)	CERTIFICATES
and Necessity of Certain Motor Carriers for)	
Failure to Maintain and File Evidence of)	
Insurance)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition of the Office of Regulatory Staff (“ORS”) to revoke Certificates of Public Convenience and Necessity of certain motor carriers for failure to maintain and file evidence of insurance. ORS's Petition was filed with the Commission on October 23, 2007. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2006), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and pursuant to S.C. Code Ann. §58-4-10, et seq., as enacted by 2004 S.C. Acts 175, the ORS is charged with the duty to protect the public interest.

The ORS developed a list of the motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law in respect of failure to maintain and file evidence of insurance and such list was attached as Exhibit A to ORS's Petition. On November 6, 2007, the Commission issued a Notice of Hearing, setting this matter for hearing on January 16, 2008, at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, January 16,

2008, at 2:45 p.m. ORS was represented by Shealy Boland Reibold, Esquire. Ms. Carole Chauvin, the Program Specialist and Records Custodian of ORS's Transportation Department, testified for the ORS. At the hearing on January 16, 2008, the ORS submitted into the record a Revised Exhibit A dated January 15, 2008, advising the Commission that several companies listed on the original Exhibit A to its Petition had come into compliance and requested dismissal of this action against those companies.

At the hearing, Ms. Chauvin presented testimony that twenty (20) motor carriers certificated by the Commission to provide motor carrier services had failed to maintain or file current proof of insurance with the ORS as required by S.C. Code Ann. §58-23-910 (Supp. 2006). Further, Ms. Chauvin testified that the ORS's Revised Exhibit A, offered into evidence by the ORS at the hearing on January 16, 2008, listed those companies which remained out of compliance at the time of the hearing. This Revised Exhibit A was offered into evidence by the ORS, and accepted into the record by the Commission, as Hearing Exhibit 3. The Revised Exhibit A listed by name and certificate number the 14 motor carriers which remained out of compliance for not having filed proof of insurance with the ORS as of the date of the hearing. Additionally, the ORS stated in its Petition, and Ms. Chauvin testified, that the ORS notified the companies, via certified mail, of their failure to file or maintain proof of insurance with the ORS. Finally, all of the fourteen (14) carriers listed on the ORS Revised Exhibit A have had their Certificates of Public Convenience and Necessity suspended by the Commission prior to the hearing in this case on January 16, 2008. Both the Petitions for Suspension by the ORS and the

Orders of Suspension issued by the Commission have been served on the Respondent carriers.

The Commission finds that the petition should be dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et.seq. (1976 and Supp. 2006)] as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the carriers which are the subject of this petition (attached as an Appendix to this Order, labeled "Revised Exhibit A -Companies Not in Compliance January 15, 2008") should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

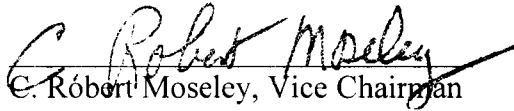
1. That the Certificates of Public Convenience and Necessity held by those fourteen (14) motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.
3. That this petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:


C. Robert Moseley, Vice Chairman

(SEAL)

Appendix

Docket No. 2007-383-T

Order No. 2008-37

January 23, 2008

REVISED EXHIBIT A - CARRIERS OUT OF COMPLIANCE JANUARY 15, 2008

No.	Docket #	Class	Type of Cert	Name	DBA	Address	City	State	Zip
1	2003-299-T	C	TAXI	SANJEEV CHOPRA		1354 CANNON ROAD	MYRTLE BEACH	SC	29577
2	2006-207-T	C	NON-EMERGENCY	COX MEDICAL RESPONSE, INC.		PO BOX 1174	MARION	SC	29571
3	2005-64-T	C	TAXI	RAMIRO ROJAS	DEL-VALLE TRANSPORTATION	1307 SILAS STREET	NEWBERRY	SC	29108
4	2005-65-T	C	CHARTER	RAMIRO ROJAS	DEL-VALLE TRANSPORTATION	1307 SILAS STREET	NEWBERRY	SC	29108
5	2007-148-T	C	CHARTER	LUTHER BENNETT	L&K ENTERPRISES AND TRANSPORTATION	186 MACEDONIA ROAD	HARDEEVILLE	SC	29927
6	2007-149-T	C	TAXI	LUTHER BENNETT	L&K ENTERPRISES AND TRANSPORTATION	186 MACEDONIA ROAD	HARDEEVILLE	SC	29927
7	2002-287-T	C	TAXI	FRANK P. LINICK		4357 WILLOUGHBY LANE	MYRTLE BEACH	SC	29577
8	2005-19-T	C	CHARTER	PALMETTO EXECUTIVE TRANSPORTATION, LLC		520-D GREENWOOD ROAD	WEST COLUMBIA	SC	29169
9	2007-114-T	C	TAXI	PAUL RICHARDSON	PAUL'S CALL A CAB	5883 ALLISON AVENUE	HANAHAN	SC	29406
10	1998-467-T	C	CHARTER	IOAN LUNG	PAWLEY'S ISLAND LIMOUSINE	2629 NORTH FRASER STREET	GEORGETOWN	SC	29440
11	1994-538-T	C	TAXI	J.C. SMITH		522 NORTH JEFFERSON STREET	FLORENCE	SC	29506
12	1991-290-T	C	TAXI	J.C. SMITH		522 NORTH JEFFERSON STREET	FLORENCE	SC	29506
13	2006-276-T	C	TAXI	JUAN J. LOPEZ	TAXI AMIGO	2433 ADELAIDE STREET	NEWBERRY	SC	29108
14	2001-404-T	C	CHARTER BUS	VERBREN GROUP, INC.	WALLACE TOURS	373 BEULAH TABERNACLE ROAD	ST. STEPHEN	SC	29479

1/15/2008